

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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Madison WI 53707-7921

Scott Walker, Governor
Cathy Stepp, Secretary
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December 13, 2012

Ms. Angie E. Van Scyoc
Chairman, Town of Waukesha
S51 W25375 Glendale Road
Waukesha WI 53189-7364

Subject: The Proposed Water Supply Service Area for the City of Waukesha

Dear Ms. Van Scyoc:

The City of Waukesha has entered into a Letter of Intent with the Oak Creek Water and Sewer Utility for the provision of Lake Michigan water to the City of Waukesha's proposed water supply service area as delineated by the Southeastern Wisconsin Regional Planning Commission (SEWRPC).

A significant portion of the Town of Waukesha is included within the water supply service area delineated by SEWRPC. State law and the department's water supply service area plan approval process require that a proposed water supply service area plan must be approved by the governing body of each town whose public water supply is addressed by the plan. In this case, the governing body of the Town of Waukesha must approve the City's proposed plan before the SEWRPC delineated areas within the Town of Waukesha will be included in any department-approved water supply service area.

As you know, the department is reviewing the City of Waukesha's application for a diversion of Great Lakes water. The Town of Waukesha's decision on the City's proposed water supply service area plan is a prerequisite to the department's decision on the water supply service area plan and determination of the final water supply service area. Now that the City of Waukesha has entered into an agreement with its potential supplier, to move forward with its review of the City's water supply service area plan, the department must have evidence of a decision by the governing body of the Town of Waukesha, in the form of a letter or resolution, as to whether the governing body approves of the City's proposed water supply service area plan, and specifically the Town's inclusion in the delineated water supply service area.

At your request, I have agreed to extend until the end of January 2013 the time within which the Town must forward evidence of its decision. Accordingly, if the department does not receive evidence of the Town's decision on the proposed water supply service area plan by February 1, 2013, the department will assume that the Town has elected to reject the water supply service area plan and the Town's inclusion in the water supply service area. If the Town elects to not be included in the proposed water supply service area, the department will request that SEWRPC redraw the water supply service area boundaries—and the sewer service area boundaries—for the City of Waukesha's water and wastewater utilities to exclude areas within the Town of Waukesha.

I look forward to the Town's decision on this matter. Please contact Eric Ebersberger at (608) 266-1722 if you have questions or concerns.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kenneth G. Johnson". The signature is fluid and extends to the right with a long horizontal stroke.

Kenneth G. Johnson, P.E.
Water Division Administrator

Cc: Dan Duchniak (by email only)
Eric Ebersberger (by email only)